

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF PENNSYLVANIA

| | | |
|---------------------------|---|------------------------|
| DRUEN NILES, | : | |
| Petitioner | : | |
| | : | |
| v. | : | CIVIL NO. 3:CV-07-1567 |
| | : | |
| ALBERTO GONZALEZ, et al., | : | (Judge Kosik) |
| Respondents | : | |

ORDER

____ NOW, THIS 24th DAY OF OCTOBER, 2007, IT APPEARING TO THE COURT
THAT:

(1) The petitioner in the instant habeas corpus action filed pursuant to 28 U.S.C. §2241 was released from BICE custody pursuant to an Order of Supervision on October 12, 2007;

(2) The only relief requested by petitioner was release from continued detention;

AND, IT FURTHER APPEARING THAT:

(3) The Report and Recommendation of the Magistrate Judge that the petition for writ of habeas corpus be dismissed as moot is proper;

IT IS HEREBY ORDERED THAT:

(1) The Report and Recommendation of Magistrate Judge Malachy E. Mannion dated October 17, 2007 (Doc. 7) is **ADOPTED**;

(2) The petition for writ of habeas corpus is **DISMISSED**; and

(3) The Clerk of Court is directed to **CLOSE** this case and to forward a copy of this Order to the Magistrate Judge.

S/EDWIN M. KOSIK

United States District Judge